

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

UNITED STATES OF AMERICA

v.

CRIMINAL ACTION NO. 2:12-00033

DANIEL C. RUNION

SUPERVISED RELEASE REVOCATION AND JUDGMENT ORDER
MEMORANDUM OPINION AND ORDER

On March 13, 2020, the United States of America appeared by Kristin F. Scott, Assistant United States Attorney, and the defendant, Daniel C. Runion, appeared in person and by his counsel, Timothy J. LaFon, for a hearing on the petition seeking revocation of supervised release and amendments thereto submitted by United States Probation Officer Douglas W. Smith. The defendant commenced a 15-year term of supervised release in this action on October 15, 2018, as more fully set forth in the Judgment Including Sentence Under the Sentencing Reform Act entered by the court on November 8, 2012.

The court heard the admissions of the defendant and the representations and argument of counsel.

For reasons noted on the record of this proceeding, which are ORDERED incorporated herein by reference, the court found by a preponderance of the evidence that the defendant has violated the conditions of supervised release in the following respects: (1) the defendant committed a violation of law in that on April 30, 2019, he possessed a Smith and Wesson 38 special handgun in violation of 18 U.S.C §§ 922(g)(1) and 924(a)(2), for which he was convicted in this court on October 29, 2019; (2) the defendant committed a violation of law in that on January 15, 2020, he was charged in a three-count superseding indictment in which he plead guilty to Count-Three of the superseding indictment in violation of 18 U.S.C. §§ 2252A(a)(5)(B) and (b)(2), for which he was convicted in this court on March 13, 2020; (3) on April 30, 2019, the defendant admitted to the state police that he possessed a cellular telephone and used it to access the internet and that he was accessing the internet from his father's residence, for which he did not have approval from the probation officer; (4) on May 2, 2020, the defendant admitted to the probation officer that he accessed Wifi through his parents' residence from November 2018 through February 2019, for which he did not have approval from the probation officer; (5) on May 8, 2019, the defendant was found to be in possession of an Apple iPhone cellular device and

did not have approval from the probation officer to possess the Apple iPhone; and (6) the defendant failed to appear for urine collections on February 12, February 21, March 20, and April 26, 2019, as directed by the probation officer; all as admitted by the defendant on the record of the hearing and all as set forth in the petition on supervised release.

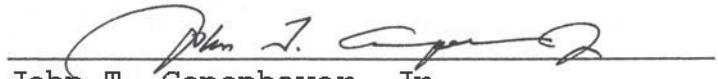
And the court finding, as more fully set forth on the record of the hearing, that the violations warrant revocation of supervised release and, further, that it would unduly depreciate the seriousness of the violations if supervised release were not revoked, it is ORDERED that the supervised release previously imposed upon the defendant in this action be, and it hereby is, revoked.

It is further ORDERED that the sentencing in this matter be, and hereby is, scheduled for 1:30 p.m. on June 22, 2020.

The defendant was remanded to the custody of the United States Marshal pending sentencing.

The Clerk is directed to forward copies of this written opinion and order to the defendant, all counsel of record, the United States Probation Department, and the United States Marshal.

DATED: March 17, 2020



John T. Copenhaver, Jr.
Senior United States District Judge